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EXAMINER	
SINGH, RACHNA	

ART UNIT	PAPER NUMBER
2176	15

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/671,555	KUKKAL, PUNEET	
	Examiner	Art Unit	
	Rachna Singh	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 August 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *28-54* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *28-54* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This action is responsive to communications: RCE and Amendment D filed 8/26/03.

2. Claims 28-54 are pending in the case. Claims 28 and 43 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 28-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over W3C, "Implementing HTML Frames", March 1997 in view of LaStrange et al., US Patent 5,784,058, 8/3/99 (Filed parent application on 5/28/96).

In reference to claim 28, W3C's Implementing HTML Frames teaches that frames divide a browser window into two or more document windows, each displaying a different document. Frames are capable of being static or live (multimedia, icons, etc). As a user navigates a site in "live" frames, the contents of the static frames remain fixed, even though the adjoining frames redraw. See page 2. Framesets provide a persistent navigation. For example, a navigation area may be an unchanging page in the left side of the screen which loads new content into the main area. Similarly, the left side of the screen may remain unchanged while the user navigates from page to page on the right side (compare to ***"wherein the first data persists after the information***

browser receives a third request operative to replace display of the first data and the second data with display of new data in the information browser.")

LaStrange teaches a system in which documents are downloaded from the network and displayed in a separate window of the display. LaStrange's system can receive the first and second request from two different host systems (compare to "***receiving a first request identifying first data on a first host system; receiving a second request identifying second data on a second host system"***). LaStrange discloses user-controllable persistent browser display pages. A first page for display is selected as to whether or not it is to persist on the display after a second page for display is selected by the browser. If the first page is to persist, a new window is opened in the browser for the second page thus displaying the first and second data simultaneously. See column 1, lines 41-55. Both W3C frames and LaStrange teach that the first page of information in the first browser window is either selected to "persist" on a display after a second page for display is selected or to open the page. See columns 1-2 of LaStrange. Thus even if a page is "operative to replace" the information, the selection of a page to persist in a computer display device overrides that request. See columns 1-2 of LaStrange and rejections above. It was well known in the art at the time of the invention to utilize frames for displaying information in different windows for the purpose of maintaining persistency within the same browser as taught by W3C. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the use of frames to incorporate information from two different host systems as taught by LaStrange since both LaStrange and W3C frames are concerned with maintaining persistency in navigation which prevents the information from being overridden.

In reference to claim 29, W3C teaches that framesets can be used as a means of maintaining fixed information in one window (compare to ***"providing persistency control in the information browser, the persistency control configured to . . .within the information browser***". See page 2. LaStrange teaches a means in which the data is flagged as to whether it should be persistent or not. See column 4, lines 52-7 and column 5, lines 1-35. It would have been obvious to one of ordinary skill in the art combine the flagging of data that is deemed to be persistent as taught by LaStrange with persistency control as indicated by the use of frames since both LaStrange and frames are concerned with providing persistency in navigation.

In reference to claim 30, frames can be utilized as a means for providing a navigation interface. For example, the static frame can provide an interactive frame in which a table of content with links displays results of the navigation in another frame. See page 2.

In reference to claim 31, it was well known in the art at the time the invention was made to have a browser where the user interface comprised a history button and a search button. See pages 1-2. Both history and search buttons constitute non-link based navigation.

In reference to claim 32, frames are capable of displaying different data sets in different windows within the browser. Upon traversal of one window, the first data can then be viewed with the request for new data.

In reference to claim 33, HTML frames allow different webpages to be represented in various frames. The purpose of frames is to divide a browser window to display different documents or different parts of the same document.

In reference to claim 34, LaStrange discloses a method where a computer device has an information browser having both local and remote resources. The data processing system places a plurality of web pages for access over the network by remote client stations. However, the webpages may also be static webpages already on the client. See figure 1 and column 3, lines 14-35. It would have been obvious to combine LaStrange's method of having both local and remote resources with frames since both are concerned with providing persistency in navigation and reasons stated above in claim 28.

In reference to claim 35, frames provide the user with an interface in which persistent data is displayed in one window and non-persistent data is displayed in another window. See pages 1-2 of W3C.

In reference to claim 36, LaStrange discloses a system in which the information browser consists of a user-interface where the user can determine whether or not to generate the first request. See column 5, lines 57-67. It would have been obvious to combine LaStrange with Frames since both are concerned with providing persistency in navigation.

In reference to claim 37, it was well known in the art at the time the invention was made for an information browser to persistently display a browser history, search utility, and a browser configuration utility. Internet Explorer 4.0 released in April 1997 is an example. See http://www.microsoft.com/ie/ie40/features/main.htm and http://www.blooberry.com/indexdot/history/ie.htm.

In reference to claim 38, LaStrange discloses a method including user controllable symbols which determine whether the second request for data should be

displayed. See column 6, lines 18-24. It would have been obvious to combine LaStrange with Frames since both are concerned with providing persistency in navigation.

In reference to claim 39, LaStrange discloses a method in which the user determines whether a webpage should be displayed persistently or not in an information browser. See column 6, lines 18-24. It would have been obvious to combine LaStrange with Frames since both are concerned with providing persistency in navigation.

In reference to claim 40, LaStrange discloses a method in which the information browser executes programming instructions in regards to the method described. See column 1, lines 55-60. It would have been obvious to combine LaStrange with Frames since both are concerned with providing persistency in navigation.

In reference to claim 41, it was well known in the art at the time the invention was made to have a browser where the user interface comprised a forward button, backward button, a history button, and a search button. Internet Explorer 4.0 is an example of this released in 1997. See http://www.microsoft.com/ie/ie40/features/main.htm and http://www.blooberry.com/indexdot/history/ie.htm. As per amended portion of claim 41 "third request is received responsive to an activation" of those buttons, there is no reason why one of ordinary skill in the art at the time of the invention would be limited to requesting those features in a third request for information.

In reference to claim 42, LaStrange discloses a method in which the information browser executes programming instructions in regards to the method described. See column 1, lines 55-60. It would have been obvious to combine LaStrange with Frames since both are concerned with providing persistency in navigation.

In reference to claim 43, W3C's Implementing HTML Frames teaches that frames divide a browser window into two or more document windows, each displaying a different document. Frames are capable of being static or live (multimedia, icons, etc). As a user navigates a site in "live" frames, the contents of the static frames remain fixed, even though the adjoining frames redraw. See page 2. Framesets provide a persistent navigation. For example, a navigation area may be an unchanging page in the left side of the screen which loads new content into the main area. Similarly, the left side of the screen may remain unchanged while the user navigates from page to page on the right side (compare to ***"wherein persistence comprises continuing to display said first data after the information browser is directed to display new data to replace the first data."***).

LaStrange teaches a system in which documents are downloaded from the network and displayed in a separate window of the display. LaStrange's system can receive the first and second request from two different host systems (compare to "***receiving a first request identifying first data on a first host system; receiving a second request identifying second data on a second host system"***). LaStrange discloses user-controllable persistent browser display pages. A first page for display is selected as to whether or not it is to persist on the display after a second page for display is selected by the browser. If the first page is to persist, a new window is opened in the browser for the second page thus displaying the first and second data simultaneously. See column 1, lines 41-55. Both W3C frames and LaStrange teach that the first page of information in the first browser window is either selected to "persist" on a display after a second page for display is selected or to open the page. See

columns 1-2 of LaStrange. Thus even if a page is "operative to replace" the information, the selection of a page to persist in a computer display device overrides that request. See columns 1-2 of LaStrange and rejections above. It was well known in the art at the time of the invention to utilize frames for displaying information in different windows for the purpose of maintaining persistency within the same browser as taught by W3C. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the use of frames to incorporate information from two different host systems as taught by LaStrange since both LaStrange and W3C frames are concerned with maintaining persistency in navigation which prevents the information from being overridden.

In reference to claim 44, W3C teaches that framesets can be used as a means of maintaining fixed information in one window (compare to ***"providing persistency control in the information browser, the persistency control configured to . . .within the information browser***". See page 2. LaStrange teaches a means in which the data is flagged as to whether it should be persistent or not. See column 4, lines 52-7 and column 5, lines 1-35. It would have been obvious to one of ordinary skill in the art combine the flagging of data that is deemed to be persistent as taught by LaStrange with persistency control as indicated by the use of frames since both LaStrange and frames are concerned with providing persistency in navigation.

In reference to claim 45, upon receiving a request for a third resource, a frame is capable of displaying a third data with the persistent display of the first data within a browser. See page 2 of W3C.

In reference to claim 46, W3C teaches that a request can correspond to navigation of the information browser. For instance, a user can browse from one webpage to another. See pages 1-2.

In reference to claim 47, HTML frames allow different webpages to be represented in various frames. The purpose of frames is to divide a browser window to display different documents or different parts of the same document. Thus receiving a request for a first or second webpage would have been obvious to one of ordinary skill in the art at the time of the invention.

Claim 48 is rejected using the same rationale used in claim 35 above.

Claim 49 is rejected using the same rationale used in claim 36 above.

Claim 50 is rejected using the same rationale used in claim 37 above.

Claim 51 is rejected using the same rationale used in claim 38 above.

Claim 52 is rejected using the same rationale used in claim 39 above.

In reference to claim 53, LaStrange discloses a computer storage medium containing a computer program of instructions for carrying out the steps of persistency control associated with the first and second data. See column 1, lines 41-60.

Claim 54 rejected under the same rationale used in claim 53 above.

Response to Arguments

5. Applicant's arguments have been considered but are not persuasive.

Applicant argues that W3C frames are required to target specific frames as the destination for display of a web page identified by a hyperlink and that first data always persists regardless of a third request that is operative to replace the display of the first data and second data with the new data. Examiner disagrees. Both W3C frames and

LaStrange teach that the first page of information in the first browser window is either selected to "persist" on a display after a second page for display is selected or to open the page. See columns 1-2 of LaStrange. Thus even if a page is "operative to replace" the information, the selection of a page to persist in a computer display device overrides that request. See columns 1-2 of LaStrange and rejections above.

Applicant argues with respect to claims 28 and 43 that frame-based persistence differs from the claimed invention in that it "replaces" the currently displayed data with the new resource as opposed to providing a persistent display of data. Applicant further argues that W3C frames do not teach continuing to display first data after the information browser is directed to display new data. Examiner respectfully disagrees. On page 2 of W3C, it states, "as a user navigates a site in "live" frames (documents, icons . . .anything else that can react to user input or programmed activity), the contents of static frames remain fixed, even though adjoining frames redraw". Since the content of one of the frames remains fixed while others are "redrawn" (analogous to "directed to display new data"), W3C teaches a persistent display within a browser wherein "the first data persists after the information browser receives a third request to display new data in the information browser".

Applicant argues that "persistency control" refers to programmatic construct that may be installed within an information browser to give the information browser new features or capabilities. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., programmatic constructs) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the

specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Moreover, Applicant discloses a means in which "persistency control logic" registers with the browser and conditionally prevents the browser from replacing the current display with newly identified HTML documents (as do frames). The Persistency control intervenes in the display of newly requested data such that the new data is co-displayed with the previously received data, thereby providing display persistency. Thus Applicant's invention "locks" information into the client thereby preventing it from being erased when a new web page is loaded. See columns 1-2 of LaStrange and W3C disclosure.

Rejections for dependent claims 29-42 and 44-54 are maintained in light of the rejections above.

In view of the rejections and response to arguments above, this action is made final.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Larson et al.	US Patent Number: 5,907,324	Filed 06/1995
Fin et al.	US Patent Number: 6,240,444	Filed 09/1996
Mirashrafi et al.	US Patent Number: 6,199,096	Filed 03/1997
LaStrange et al.	US Patent Number : 5,933,142	Filed 05/1996
Habib et al.	US Patent Number: 5,579,466	Filed 9/1/94

Anderson, Paul, Frames and Framesets, 1996, available:

http://step.sdsc.edu/s96/frames/framenot.htm

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 703.305.1952. The examiner can normally be reached on M-F (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 703.305.9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.3900.

Rachna Singh
October 17, 2003

SANJIV SHAH
PRIMARY EXAMINER